

# INTERNATIONAL SEARCH REPORT

Intern. Application No  
PCT/ 00/27133

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 C08J5/18 D04H13/00 //C08L23:02

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C08J D04H B29C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, PAJ, EPO-Internal, COMPENDEX

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 888 607 A (ROGERS JOHN J ET AL) 30 March 1999 (1999-03-30) claim 1 column 1, line 5 - line 8	1,4-11
A	WO 95 25757 A (COATES GEOFFREY W ;UNIV LELAND STANFORD JUNIOR (US); WAYMOUTH ROBE) 28 September 1995 (1995-09-28) claims 31,32 page 14, line 22 -page 15, line 28	1
A	WO 94 28066 A (SHELL OIL CO) 8 December 1994 (1994-12-08) claim 1	1

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

7 November 2000

Date of mailing of the international search report

14/11/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentaan 2  
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Authorized officer

Niaounakis, M

# INTERNATIONAL SEARCH REPORT

...and on patent family members

International Application No

PCT/00/27133

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5888607	A	30-03-1999	AU	5708298 A	25-01-1999
			EP	1018905 A	19-07-2000
			WO	9901048 A	14-01-1999
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WO 9525757	A	28-09-1995	US	5594080 A	14-01-1997
			AU	697375 B	01-10-1998
			AU	2191195 A	09-10-1995
			BR	9507184 A	07-10-1997
			CA	2186105 A	28-09-1995
			CN	1172488 A	04-02-1998
			CZ	9602773 A	12-03-1997
			EP	0802935 A	29-10-1997
			JP	9510745 T	28-10-1997
			PL	316415 A	06-01-1997
			US	5969070 A	19-10-1999
<hr/>					
WO 9428066	A	08-12-1994	US	H1583 H	06-08-1996
			DE	69414349 D	10-12-1998
			DE	69414349 T	12-05-1999
			EP	0656036 A	07-06-1995
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PATENT COOPERATION TREATY

PCT



REC'D 07 JAN 2002	
WIPO	PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT  
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CM2211MQ/VB		<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/27133	International filing date (day/month/year) 02/10/2000	Priority date (day/month/year) 08/10/1999	
International Patent Classification (IPC) or national classification and IPC C08J5/18			
Applicant THE PROCTER & GAMBLE COMPANY et al.			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 7 sheets, including this cover sheet.  
  
☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of    sheets.

3. This report contains indications relating to the following items:
  - I    ☒ Basis of the report
  - II    ☐ Priority
  - III    ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV    ☐ Lack of unity of invention
  - V    ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI    ☐ Certain documents cited
  - VII    ☐ Certain defects in the international application
  - VIII    ☒ Certain observations on the international application

Date of submission of the demand  05/02/2001	Date of completion of this report  03.01.2002
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  Contet, F  Telephone No. +49 89 2399 8671  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US00/27133

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):  
**Description, pages:**

1-11 as originally filed

**Claims, No.:**

1-11 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
  - ☐ the language of publication of the international application (under Rule 48.3(b)).
  - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
  - ☐ filed together with the international application in computer readable form.
  - ☐ furnished subsequently to this Authority in written form.
  - ☐ furnished subsequently to this Authority in computer readable form.
  - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
  - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
  - ☐ the claims, Nos.:
  - ☐ the drawings, sheets:
5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US00/27133

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☒ the entire international application.

☐ claims Nos. .

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):  
**see separate sheet**

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos. .

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)                      Yes:    Claims  
   No:    Claims    1-11

Inventive step (IS)            Yes:    Claims  
   No:    Claims    1-11

Industrial applicability (IA)   Yes:    Claims    1-11

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US00/27133

No: Claims

2. Citations and explanations  
**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
**see separate sheet**

**Re Item III**

**Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

**I- Article 6 PCT:**

**1.1:** Claim 1 is concerned with an article comprising a film web material containing a polyolefinic homopolymer having an isotacticity of less than 60% of [mmmm] pentad concentration.

According to claim 10 such a film web material is prepared by casting, extruding blowing and combinations thereof.

In the general knowledge, the term web implies that fibres of the selected homopolymer, woven or non woven, are processed to make a sheet. The various methods selected for preparing the "film web" according to claim 1, are methods for making a film and not a web. Further the question arises if the expression "film web" could not also mean a laminate comprising a film and a web sheet. Thus, there is an internal inconsistency in the expression "film web".

The applicant alleged that the wordings "film web material", "film" and film material" are used synonymously. But, having regard to the previous comments, this argument cannot be followed (see also the PCT Guidelines C III 4.1-4.3).

However, in view of the term "film" disclosed on pages 6 and 7 and of the methods for manufacturing and further processing according to claims 10 and 11 (see also the passage bridging pages 8 and 9), **a provisionally and non-binding opinion on novelty and inventive step will be drafted based on a subject-matter wherein the first element is a film.**

**Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**II-Novelty**

Reference is made to the following documents:

D1: US-A-5 888 607 (ROGERS JOHN J ET AL) 30 March 1999 (1999-03-30)

D2: WO 95 25757 A (COATES GEOFFREY W ;UNIV LELAND STANFORD  
JUNIOR (US); WAYMOUTH ROBE) 28 September 1995 (1995-09-28)

D3: WO 94 28066 A (SHELL OIL CO) 8 December 1994 (1994-12-08)

**2.1:** D1, claims 1,4 and 5. discloses a soft fibrous loop material laminate comprising a loop layer formed from a sheet of fibres comprising predominantly polypropylene (co)polymers, and a backing layer comprising (co)polymers of propylene having an isotacticity of less than 70 % . According to claim 4, such a layer is a film.

The backing layer is preferably a polypropylene homopolymer or a copolymer (col.8, lines 8-13 and the materials listed on col. 10, line 64 and 11, lines 1 and 8 and the Examples 20-and 21), which can be performed before applying onto the loop layer or coextruded. Hygienic articles are made therewith (col.1, l. 6-9).

**Novelty of the subject-matter of claims 1 to 11 cannot be acknowledged.**

**2.2:**D2 discloses the preparation of (co)polymers of propylene having isotactic pentad content ranging from [mmmm] = 6.3% to 71% (page 14, line 22 to p.15, l.13). Thin films of films with elastomeric polypropylene having an isotactic pentad content [mmmm] of 30% are made.

**2.3:** D3, the claims, discloses the preparation of elastomeric polybutylene having a highly reduced level of crystallinity and an isotacticity of less than 70 %. Said polymers are suitable in films applications (Ex. 1, page 9)

### **III- Industrial applicability**

Films materials used hygienic articles or package articles.

### **Re Item VIII**

#### **Certain observations on the international application**

#### **Further comments underarticle 6 PCT:**

**1:** The relative expressions "stretchable" and "elastically extendible" used respectively in claims 2 and 3 have no well-recognised meaning and leaves the reader in doubt as to the meaning of the technical features to which they refer,



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US00/27133

thereby rendering the definition of the subject-matter of said claims unclear (Article 6 PCT and the Guidelines CIII 4.5).

If these features are considered to have a limitative character, i.e if it has been introduced to exclude some films which do not solve the problem underlying the present Application, they should be clearly defined according to the description.

**1:** The definition of claim 7 "a construction element" is vague, thereby rendering the definition of the subject-matter of said claim unclear (Article 6 PCT).

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>CM2211MQ/VB</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 00/ 27133</b>	International filing date (day/month/year) <b>02/10/2000</b>	(Earliest) Priority Date (day/month/year) <b>08/10/1999</b>
Applicant  <b>THE PROCTER &amp; GAMBLE COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

## Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

The present invention provides an article comprising a first element and a second element joined to the first element, the first element comprising a film web material. The article is characterized in that the film web material comprises a polyolefinic homopolymer having a an isotacticity of less than 60% of [mmmm] pentad concentration.

The present invention further provides a method for manufacturing a film web material comprising a step of processing the aforementioned polymeric material, the step of processing selected from the group of casting, extruding, blowing, and combinations thereof.

The present invention further provides a method for processing a film web material comprising the aforementioned polymer, the process comprising a step selected from the group of orienting, bi-axially stretching, crazing, stretching, shrinking, and combinations thereof.

## INTERNATIONAL SEARCH REPORT

International Application No

75/US 00/27133

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C08J5/18 D04H13/00 //C08L23:02

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C08J D04H B29C

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Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, PAJ, EPO-Internal, COMPENDEX

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 888 607 A (ROGERS JOHN J ET AL) 30 March 1999 (1999-03-30) claim 1 column 1, line 5 - line 8 ---	1,4-11
A	WO 95 25757 A (COATES GEOFFREY W ;UNIV LELAND STANFORD JUNIOR (US); WAYMOUTH ROBE) 28 September 1995 (1995-09-28) claims 31,32 page 14, line 22 -page 15, line 28 ---	1
A	WO 94 28066 A (SHELL OIL CO) 8 December 1994 (1994-12-08) claim 1 -----	1



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

7 November 2000

Date of mailing of the international search report

14/11/2000

Name and mailing address of the ISA

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Fax: (+31-70) 340-3016

Authorized officer

Niaounakis, M

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/27133

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5888607	A	30-03-1999	AU 5708298 A EP 1018905 A WO 9901048 A	25-01-1999 19-07-2000 14-01-1999
WO 9525757	A	28-09-1995	US 5594080 A AU 697375 B AU 2191195 A BR 9507184 A CA 2186105 A CN 1172488 A CZ 9602773 A EP 0802935 A JP 9510745 T PL 316415 A US 5969070 A	14-01-1997 01-10-1998 09-10-1995 07-10-1997 28-09-1995 04-02-1998 12-03-1997 29-10-1997 28-10-1997 06-01-1997 19-10-1999
WO 9428066	A	08-12-1994	US H1583 H DE 69414349 D DE 69414349 T EP 0656036 A	06-08-1996 10-12-1998 12-05-1999 07-06-1995

# PATENT COOPERATION TREATY

**PCT**

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected Office

Date of mailing: 19 April 2001 (19.04.01)	
International application No.: PCT/US00/27133	Applicant's or agent's file reference: CM2211MQ/VB
International filing date: 02 October 2000 (02.10.00)	Priority date: 08 October 1999 (08.10.99)
Applicant: HANKE, Bernhard et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:  
05 February 2001 (05.02.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer:  J. Zahra Telephone No.: (41-22) 338.83.38
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